

Northeastern University

Policy on Grievance Procedure

HUMAN RESOURCES

Effective Date: April 2, 2014

Date Revised:

Supersedes: Policy on
Grievance Procedure

Related Policies: Equal
Opportunity Policy; Sexual
Harassment Policy; OIDI
grievance procedure; Faculty
Handbook grievance
procedures

Responsible
Office/Department: Human
Resources Management

Keywords: grievance;
discrimination; harassment

Review of Employment Issues and Grievance Procedure

These informal and formal review procedures are established for the following employment categories: Administrative and Professional Staff, Grades 8 through 17, Technical, Office and Support Staff, Crafts and Trades, and Service Employees. These procedures do not apply to faculty, to employees who have yet to successfully complete the Probationary Period, or to employees covered by a collective bargaining agreement unless specifically provided for in that agreement.

A. Informal Review of Employment Issues

The flexibility of informal discussions often results in solutions to employment issues more easily and quickly than do formal procedures. The grievant who has an employment issue should first discuss it with his or her supervisor. Depending on the nature of the problem, discussions with a Human Resources Management representative, or with a representative of the Office of Institutional Diversity and Inclusion (OIDI), the Disability Resource Center, the Ombuds Office, or the Office of Environmental Health and Safety, or the person at the next supervisory level may be helpful in clarifying the issues the grievant wishes to discuss with his or her supervisor.

B. Formal Review Procedures for Grieving Discharge, Discipline or Other Employment Disputes

The following formal review procedures have been established for specific kinds of employment issues which remain unresolved after the informal review described above has occurred. These formal procedures may be utilized by a grievant who believes that he or she has been wrongly discharged or disciplined in connection with his or her employment. As used here, the terms "Discharge" and "Discipline" do not include a University decision not to extend employment beyond a previously established term, or elimination of a position due to a reduction in force, or due to a reorientation, diminution, or elimination of a program or department.

A Grievance is initiated under the terms of this "Procedure" by the grievant submitting the completed [Grievance Form](#) to Human Resources Management with a copy to her or his supervisor within ten (10) working days after the grievable act has occurred. A representative of Human Resources Management shall assist a grievant who needs help completing the forms. If a grievant believes that he or she has been discharged or disciplined because of harassment or discrimination prohibited by law or by University policy (based on race, color, religion, religious creed, genetics, sex, gender identity, sexual orientation, age, national origin, ancestry, veteran or disability status), the Human Resources Management representative shall refer the employee to the Office of Institutional Diversity and Inclusion. In that case, the employee initially must pursue a grievance through the OIDI grievance procedure. After OIDI has addressed the issues which give rise to a claim of discrimination, the employee's claim will be referred back to HRM. HRM will address the remaining issues, if any, through the Formal Review Procedure (the procedure) described below, except that the individuals and committees carrying out the "Grievance Procedure" shall be without authority to reverse or modify the OIDI finding or resolution.

Step I:

In response to the written grievance, the Unit head, in consultation with the grievant's supervisor, shall investigate the matter. Within ten (10) work days, the Unit head's written response shall be given to the grievant.

Step II:

If the grievant is not satisfied with the result of the Step I review, he or she may request in writing to the Vice President or equivalent administrator to whom the involved Unit reports that the grievance be reviewed by this administrator. This written request must be submitted to the Vice President or equivalent administrator within ten (10) work days of the grievant's receipt of the Unit head's Step I response. A copy of the request also shall be given to Human Resources Management. Within ten (10) work days of receipt of the grievant's request, the Vice President's written response shall be given to the grievant.

Step III:

If the grievant is not satisfied with the result of the Step II review, he or she may, within five (5) work days of receipt of the Step II response, submit a written request to Human Resources Management to proceed to the next stage of the grievance process. The Vice President of Human Resources Management will arrange for a hearing to be conducted by a three member Hearing Committee within fifteen (15) work days following receipt of the grievant's request. To establish the Hearing Committee, the grievant shall select one of its members from a pool of no fewer than 15 members of the Northeastern Community whom the Vice President of Human Resources Management has asked to serve as potential Hearing Committee members and who has agreed to serve on a Hearing Committee. The other two Hearing Committee members shall be drawn by lot from the same pool. Any pool member who is involved in the grievance, works in the

same Unit as, or directly supervises the grievant will be ineligible to serve on this committee.

The grievant, the grievant's supervisor and/or the Unit head or his or her designee shall be present at the hearing. However, since the "Procedure" is intended to be non-judicial, no legal counsel is permitted to take part in it or to be present at the hearing. Reasonable provisions will be made to permit other employees to appear as witnesses at the hearing without loss of pay.

A University official unconnected to the grievance or to the grievant shall be appointed by the Vice President of Human Resources Management to serve as the non-voting Moderator of the hearing. This Moderator shall convene the hearing committee, moderate the hearing, terminate it, and provide any information the Hearing Committee may require concerning University policies and procedures. The Vice President for Human Resources or his/her designee may serve in a resource or advisory capacity.

In making its recommendation, the Hearing Committee is prohibited from creating new or amending existing University policies (written or unwritten), rules, or regulations or from changing individual terms of employment. The Hearing Committee will confine its review to the claim stated in the grievance.

Within ten (10) work days after the hearing is completed, the Hearing Committee shall forward its written findings and recommendation to a Senior Vice President unconnected to the grievance or to the grievant. This Senior Vice President shall be chosen by the Vice President of Human Resources.

The Senior Vice President shall have fifteen (15) work days from his or her receipt of the Committee's recommendation to review it. If the Senior Vice President takes no action within that period, the Moderator shall transmit the Hearing Committee's finding to the parties in writing as the University's final decision on the grievance and shall, on behalf of the Senior Vice President, require them to take whatever actions are necessary to implement it. If the Senior Vice President reverses or alters the Hearing Committee's recommendation, this decision will be communicated in writing to the Moderator. The Moderator will transmit the Senior Vice President's decision in writing to the parties as the University's final decision on the grievance, with instructions for its implementation.

C. General Provisions

At their respective points of review in the "Procedure," the Unit Head, Vice President (or equivalent administrator), and Vice President of Human Resources Management may each appoint a designee to act on their behalf with respect to the grievance.

If the grievant fails to act within the time limits set forth herein, the grievant's grievance shall be deemed to have been resolved in a manner consistent with the University's recommendation written at the end of the last completed step. The grievant may request an

extension of any of the time limits from the Vice President of Human Resources Management prior to the expiration of the time limit, but no extension shall be effective unless the Vice President approves the request in writing. In cases where the grievant's failure to meet the time limits was due to circumstances beyond the grievant's reasonable control, the Vice President shall grant a reasonable extension.

In some cases, additional time may also be required by the University to investigate the grievance. In such cases, the grievant shall be notified by the Vice President of Human Resources Management of the additional time required.

Except in the circumstances described above, a failure to provide a written response to the grievant in a timely manner at the end of any Step but the final step shall be construed as a denial of the grievant's proposed resolution and shall permit the grievant to request that the grievance proceed to the next step if he or she wishes.

Contact Information

The grievance form is located here [Grievance Form](#)

HRM Customer Service Center: 250 Columbus Place; 617-373-2230; HRMInfo@neu.edu

Office of Institutional Diversity and Inclusion (OIDI): 617-373-2133